

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-vs-

24-CR-104-RJA-HKS

NICHOLAS BLOOM,

Defendant.

The Court previously issued an order pursuant to 18 U.S.C. § 4241 to determine whether the defendant is competent to stand trial and to assist in his own defense. The Court subsequently received a report from Dr. E. Morse, a Forensic Psychologist employed by the Bureau of Prisons, which described Dr. Morse's findings regarding the defendant. A copy of Dr. Morse's report was provided to counsel for both parties, as well as to the defendant. The report is also filed under seal with the Court.

Dr. Morse concluded, based on the information available to her, that the defendant currently suffers from a mental disease or defect that impacts his ability to make rational case-related decisions and collaborate with counsel. Dr. Morse recommended that the defendant be committed to a federal medical center for treatment for restoration so as to allow for a longer period of stabilization of mental functioning and instruction related to the court process and procedures through the use of psychological treatment and, if deemed necessary, psychotropic medication.

At a hearing on October 31, 2024, the government moved to have the defendant found not presently competent to proceed and to commit the defendant for treatment. Under 18 U.S.C. § 4241(d), the Court may:

[C]ommit the defendant to the custody of the Attorney General [who] shall hospitalize the defendant for treatment in a suitable facility . . . for such a reasonable period of time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future [that] he will attain the capacity to permit the proceedings to go forward.

After reviewing the criminal complaint (Dkt. 1), the report of Dr. Morse, and based on the Court's own observations of, and colloquy with, the defendant in open court, the Court finds by a preponderance of evidence under 18 U.S.C. § 4241(d) that the defendant is not presently competent to stand trial.

As a result, it is hereby ORDERED that, pursuant to 18 U.S.C. § 4247(d)(1), the defendant, Nicholas Bloom, is committed to the custody of the Attorney General and that the Attorney General shall hospitalize the defendant for treatment at a suitable facility for such a reasonable period of time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future the defendant will attain the capacity to permit the proceedings to go forward and to assist in his defense.

The United States Marshal is directed to transport the defendant forthwith to the appropriate Bureau of Prisons facility.

SO ORDERED.

DATED: November 1, 2024
Buffalo, New York



HON. H. KENNETH SCHROEDER, JR.
United States Magistrate Judge